

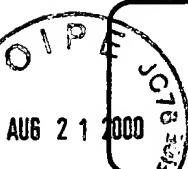
08-22-00

6AU-27498

PTO/SB/29 (8/98)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# CONTINUED PROSECUTION APPLICATION (CPA)

## REQUEST TRANSMITTAL

AUG 24 2000

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

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 DUPLICATE
 *#107498*

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	200-007950-US(PAR)
First Named Inventor	C. Shaw
Examiner Name	A. Gantt
Group / Art Unit	2749
Express Mail Label No.	EL627419693US

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 074,093  
filed on 5/7/98, entitled Portable Radio Telephone

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	20	-20* =	0	x \$ _____ =	\$ 0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	2	-3** =	0	x \$ _____ =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	690.00
			Total of above Calculations =		
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Reissue claims in excess of 20 and over original patent.				TOTAL =	
** Reissue independent claims over original patent.					690.00

#### 6. Small entity status:

- a.  A small entity statement is enclosed, if (b) and (c) do not apply.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 16 - 1350 ;

- a.  Fees required under 37 C.F.R. § 1.16.
- b.  Fees required under 37 C.F.R. § 1.17.
- c.  Fees required under 37 C.F.R. § 1.18.

8.  A check in the amount of \$ 690.00 is enclosed.

9.  New Attorney Docket Number, if desired

*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*

10. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)  
11.  Other: .....

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**12. NEW CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	2512	<input type="checkbox"/> or <input type="checkbox"/> New correspondence address below			
(Insert Customer No. or Attach bar code label here)					
Name	Paul Weinstein				
	Perman & Green, LLP				
Address	425 Post Road				
City	Fairfield	State	CT	Zip Code	06430
Country	USA	Telephone	(203)259-1800		Fax (203)225-5170

**13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Paul Weinstein
Signature	
Registration No. (Attorney/Agent)	25,382
Date	Aug. 21, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
PATENT

AUG 24 2000

TC 2700 MAIL ROOM

In re application of:  
Serial No.: 0 9 / 074,093  
Filed: 5/7/98  
For: Portable Radio Telephone

Group No.: 2749  
Examiner: A. Gantt

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL627419693US

Date of Deposit 8/21/00

I hereby certify that the following attached paper or fee

CPA Application

Please send correspondence to:

Paul Weinstein  
Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06430

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Deborah Clark

Typed or printed name of person mailing paper or fee

Deborah Clark

Signature of person mailing paper or fee

NOTE: Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g. complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.